

TOLEDO CITY COUNCIL MINUTES
Toledo City Council Chambers
Regular Session
July 18, 2018

1. Call to Order

Mayor Billie Jo Smith called the meeting to order at 7:00 p.m. Councilors present: Michele Johnson, Joshua Smith, Council President (CP) Terri Strom, Jackie Kauffman, Bill Dalbey and Deanne Dunlap

Staff present: City Manager (CM) Craig Martin, Police Chief (PC) Dave Enyeart, City Recorder (CR) Lisa Figueroa, Library Director (LD) Deborah Trusty, Interim Fire Chief (FC) Larry Robeson and City Attorney (CA) David Robinson

Visitors present: Rodney Cross, Bill Farley, Jerry Marsh, Stu Strom, Tanya Delfs, Tina Ewing, Tracy Mix, Betty Kamikawa, Dan Barrett, Sara Hibbs, Polly Chavarria and Nancy Bryant

2. Visitors/Public Comment

Rodney Cross, resident, congratulated the Summer Festival committee for the Festival this year. He said it was a great event. He commented on the recall petition and said he would like to see the County office count the signatures when they are turned in.

Bill Farley, resident, commented on the recall petition and expressed concern that children were brought into the issue from one side, which should not have happened.

Tanya Delfs, community member, asked when the Council minutes would be updated on the website. CM Martin indicated approved minutes have been updated on the website. Mayor Smith noted the public may request a copy of the minutes that have not been posted to the website from City staff. Ms. Delfs asked if the Public Works parking lot was paved. CM Martin stated there was dust control applied to the parking lot.

3. Consent Calendar

No items were presented for approval. Mayor Smith noted there will be an additional item added to the end of the Decision Items regarding a Housing Loan Rehabilitation loan.

4. Discussion and Information Items

Proclamation – National Night Out

PC Enyeart said the Police Department will host a National Night Out event on August 7, 2018 with several activities available to the public. Mayor Smith read a proclamation and declared August 7, 2018 as National Night Out in Toledo.

Committee Updates

Councilor Smith noted there is a Cascades West Area Commission on Transportation Committee meeting this week. Mayor Smith indicated she will attend a Cascades West Council of Governments Board meeting on July 19, 2018.

5. Decision Items

2018 Small City Allotment Agreement

PW Director Adams summarized the July 10, 2018 Council discussion. He said there was consideration to delay the decision to sign the agreement in order to submit a modified request to the State to remove the sidewalk portion of the Arcadia project. He said he heard back from the representative at the state, who indicated the City would likely receive funding for the modified request given that all the requests in this cycle have been funded. He said he reviewed the original application which delineated the sidewalks would be funded by the City and the street overlay would be funded through the grant.

Motion–It was moved and seconded (**JSmith/Dalbey**) to submit a project modification request that removes the sidewalk portion of the original project for the 2018 Small Cities Allotment grant. **Motion passed 7-0.**

Approval to award bid for breathing apparatus

Interim FC Robeson summarized the discussion from the July 10, 2018 Council work session. He said he included copies of the Daily Journal of Commerce notice and the e-mails from the vendors who did not submit bids. CM Martin said the purchase is in accordance with the City's purchasing policy.

Motion: It was moved and seconded (**JSmith/Strom**) to approve the purchase of a new NFPA Compliant Breathing Apparatus (Air Packs), Cylinders and Face Masks from SeaWestern Firefighting Equipment in an amount of \$235,745.40. **Motion passed 7-0.**

Recommend priorities to the League of Oregon Cities for the 2019 Legislative Agenda

Mayor Smith presented the report. The Council reviewed the priorities list and selected four top priorities and four least priorities.

Motion: It was moved and seconded (**JSmith/Johnson**) to recommend items I, Infrastructure Financing and Resilience; N, Permanent Supportive Housing Investment; R, Property Tax Reform and AA, Waste Water Technical Assistance Program as the four top priorities and C, Auto Theft; J, Least Cost Public Contracting; L, Lodging Tax Definition Broadening and CC, Wood Smoke Reduction Program Support as the four least priorities to the League of Oregon Cities (LOC) for the 2019 Legislative Session. **Motion passed 7-0.**

2018-2019 Budget Adoption

CM Martin said the blue sheet at their seats replaces the resolution included in the packet. He said this resolution corrects the typographical errors in Resolution 1402 that was adopted by the City Council on June 20, 2018. He indicated it does not change the approved \$18,357,522 budget recommended by the Budget Committee but budget law requires City Council review and adopts corrections after an error has been found. Councilor Dalbey inquired why the total unappropriated funds on Resolution 1406 does not match the same line item from Resolution 1402. CM Martin indicated this resolution required the unappropriated amount for all funds but the unappropriated ending fund balance was inadvertently inputted. Councilor Dalbey noted the Streets Fund total is miscalculated by \$26. CM Martin indicated the Fund Total is the correct total and noted the budget must be forwarded to the County for their report to the state. He indicated they are only concerned with the total budget numbers and stated he is not sure there is a penalty considering last year's resolution included a \$50,000 discrepancy but was not corrected. Councilor Kauffman asked if the \$5.18 per \$1,000 of assessed value for operations is an addition. CM Martin clarified it is the maximum tax rate amount under law and is not an increase. Councilor Johnson noted it is the same rate that has been in effect for years.

Motion: It was moved and seconded (**JSmith/Dunlap**) to adopt Resolution 1406, a resolution correcting and replacing Resolution 1402, a resolution adopting the 2018-2019 Budget in the amount of \$18,387,522, appropriating funds and levying taxes for Fiscal Year 2018-2019. **Motion passed 5-2**, with Councilors Dalbey and Kauffman opposing the motion.

Housing Rehabilitation Loan Program

CM Martin provided a report to the City Council and indicated a local homeowner participated in the housing rehabilitation loan program in 2013. He indicated those loans were conveyed to the Community Services Consortium (CSC) by the City but were reconveyed by City Attorney Adams. He said the homeowner approached CSC for a modification on the payment of the loan but it was determined the loan belonged to the City. He said he received a call from CSC and it was noted the loan was critical and the property owner was trying to sell a portion of their property to avoid foreclosure. He summarized the Council discussion from the June 27, 2018 meeting where the Council dissolved the loan committee,

enacted the Council as the loan committee and their intention to ratify the loan agreement, where the homeowner would make a good faith payment of \$1,000. He indicated 75% of the payment would go into the Council Strategic Fund and the remaining would go into The Revolving Loan Fund. Mayor Smith said the \$1,000 would be taken off the principal. CM Martin stated the homeowner has already made the payment. Councilor Dalbey indicated he is a personal friend of the homeowner and abstained from voting.

Motion: It was moved and seconded (**JSmith/Kauffman**) to ratify the June 20 2018 agreement to allow the citizen to sell one of three residential lots subject to the terms of the 2013 City of Toledo Housing Rehabilitation Loan Program and to ratify and confirm the City Attorney and City Manager's execution of documents memorializing the sale and partial repayment of the loan in the amount of \$1,000. **Motion passed 6-0** with Councilor Dalbey abstaining.

Reports and Comments

Department Reports

LD Trusty said the Library took the children on a field trip to the Railroad museum. She said they were invited to make weatherproof ornaments for the Capital Christmas tree. She thanked Councilor Johnson for staining the concrete for the flagpole plaza.

PWD Adams said the City received a notification from Oregon Health Authority in regards to mandatory testing of Cyanotoxins in the Siletz River. He said the City also received the equipment, would perform tests every two weeks and that the temporary rules are in effect through the end of the calendar year. He said there is a spot at the lower level of the treatment plant and other specific areas where staff could pull water to test.

City Manager's Report

CM Martin indicated there were no major public safety incidents at the Summer Festival. He updated the Council on the OSHA consultation visits and said the City is waiting for a report from OSHA. He said the Seal Rock Water District would like to make a presentation to the Council at a future meeting.

Council Comments

Councilor Johnson commented on the budget and clarified that even if money is budgeted for projects, the Council will consider the needs of the City before spending any money. She asked the Council consider RV hookups for RV parking on private property. She suggested staff look into a lift that is designed to lift, maneuver and carry people. Councilor Dalbey commented on an e-mail he received in regards to a vendor displaying the confederate flag at the summer festival. He said he forwarded the e-mail to the festival organizers and asked the Council to consider a resolution to ban the confederate flag. There was no consensus or direction from Council to direct staff on the suggested comments.

Mayor Comments

The Mayor read a quote.

Adjournment:

Mayor Smith adjourned the meeting at 8:28 p.m.

ATTEST:

APPROVE:

/s/City Recorder

/s/Mayor